

ASSEMBLY BILL

No. 16

Introduced by Assembly Member Huff

December 6, 2004

An act to add Section 85305.5 to the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

AB 16, as introduced, Huff. Campaign contributions.

Existing law, the Political Reform Act of 1974, places restrictions on the amount of campaign contributions that an individual or group may make to a candidate for elective office. Existing law requires the Director of Finance, on or before May 14 of each year, to provide to the Legislature an estimate of general fund revenues, proposals to reduce expenditures to reflect this estimate, and proposed adjustments to the Governor's Budget, as specified.

This bill would prohibit the Governor or a Member of the Legislature from accepting any campaign contributions between the date that the Director of Finance presents the above described information to the Legislature, and the date of enactment of the Budget Bill for the fiscal year commencing on July 1 of the same year.

Existing law makes a violation of the Political Reform Act of 1974 subject to administrative, civil, and criminal penalties.

This bill would impose a state-mandated local program by imposing potential criminal penalties on persons who violate its provisions.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes with a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill, which would declare that it furthers the purposes of the act, would therefore require a $\frac{2}{3}$ vote.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 85305.5 is added to the Government
2 Code, to read:

3 85305.5. A person may not make to the Governor or to a
4 Member of the Legislature, and the Governor or a Member of the
5 Legislature may not accept, any contribution in any amount
6 during the period between the date the Director of Finance
7 presents a revised estimate of General Fund revenues, proposals
8 to reduce expenditures based on that revision, and proposed
9 adjustments to the Governor's Budget as necessary pursuant to
10 subdivision (d) of Section 13308 and the date of enactment of a
11 Budget Bill for the fiscal year commencing on July 1 of the same
12 year.

13 SEC. 2. No reimbursement is required by this act pursuant to
14 Section 6 of Article XIII B of the California Constitution because
15 the only costs that may be incurred by a local agency or school
16 district will be incurred because this act creates a new crime or
17 infraction, eliminates a crime or infraction, or changes the
18 penalty for a crime or infraction, within the meaning of Section
19 17556 of the Government Code, or changes the definition of a
20 crime within the meaning of Section 6 of Article XIII B of the
21 California Constitution.

22 SEC. 3. The Legislature finds and declares that the provisions
23 of this act further the purposes of the Political Reform Act of
24 1974 within the meaning of subdivision (a) of Section 81012 of
25 the Government Code.

O